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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : W. Roy KNOWLES, M.D.
Serial No. :
Filing Date : herewith
Title : Hair Loss Prevention
Group Art :
Examiner :

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Commissioner of Patents and Trademarks
Box Patent Application
Washington, DC 20231

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PETITION TO MAKE SPECIAL UNDER 37 C.F.R. 1.102

Applicants respectfully requests that examination
of this application be made special for accelerated
examination under M.P.E.P. 708.02, §VIII.

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I. STATEMENT OF FACTS

1. A pre-examination search was made by Applicants. A copy is enclosed. Additionally, Applicant is of skill in the art and is familiar with the non-patent art currently in public use or on-sale.
2. The references deemed most closely related to the subject matter encompassed by the claims is enclosed. Handwritten marks on the enclosed references are not to be construed as having any significance.

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3. Bromberg et al., United States Letters Patent No. 5,939,485 (Aug. 17, 1999), discloses "a responsive polymer network exhibiting the property of reversible gelation." In contrast to Bromberg, Knowles does not need to include a polymer network at all, whether responsive or not. This reference was published as a United States Patent less than one year before the filing date of Knowles, and is thus unavailable as a prior art bar.

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4. Buck, United States Letters Patent No. 5,512,275 and United States Letters Patent No. 5,609,858, discloses a method for treating androgenic alopecia "wherein the active ingredient is liquor carbonis detergens." In contrast to Buck, Knowles does not use liquor carbonis detergens at all.

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5. Casero, United States Letters Patent No. 5,340,579, discloses a method for treating dermatological conditions by applying a composition including: (a) mucopolysaccharides, (b) human umbilical cord extract, and (c) tetrahydrofurfuryl nicotinate. In contrast to Casero, Knowles does not use mucopolysaccharides, human umbilical cord extract, or tetrahydrofurfuryl nicotinate at all.

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6. Chizick, United States Letters Patent No. 5,972,345 (Oct. 26, 1999), discloses "a natural formulation for treatment of male pattern baldness," including saw palmetto extract, African pygeum extract, and stinging nettle extract.

In contrast to Chizick, Knowles does not use saw palmetto extract, African pygeum extract, and stinging nettle extract at all. This reference was published as a United States Patent less than one year before the filing date of Knowles, and is thus unavailable as a prior art bar.

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7. Hoke, Patent Cooperation Treaty application WO 97/38728 and United States Letters Patent No. 5,994,319 (Nov. 30, 1999), discloses the use of antisense oligonucleotides targeting 5-alpha reductases, in conjunction with other hair growth enhancers or hair loss inhibitors. In contrast to Hoke, Knowles does not use oligonucleotides (sense or antisense) at all. Note that the United States Patent issued less than one year before the filing date of the Knowles application, and is thus not available as a prior art bar.

8. Liao et al., United States Letters Patent No. 5,422,371, discloses the use, to inhibit 5 α -reductase, of a C₁₄-C₂₂ unsaturated aliphatic fatty acid or alcohol. In contrast to Liao, Knowles does not use a C₁₄-C₂₂ unsaturated aliphatic fatty acid or alcohol at all.

9. Liao et al., Patent Cooperation Treaty application WO 96/37201 and United States Letters Patent No. 5,605,929, discloses and claims "A method of reducing weight in an animal comprising administering to the animal" (claim 1) and "A method of arresting or reducing prostate cancer cell

growth" (claim 7). In contrast to Liao, Knowles discloses and claims compounds for hair loss prevention.

10. Lishko et al., United States Letters Patent No. 5,753,263, discloses "a method to deliver a composition to hair follicles using a liposomal formulation." In contrast to Lishko, Knowles does not need to use a liposomal formulation, nor liposomes, at all.

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11. Messenger, United States Letters Patent No. 6,020,327 (Feb. 1, 2000), discloses "A method for treating hair loss by topically administering an aromatase inhibitor." In contrast to Messenger, Knowles does not require an aromatase inhibitor at all. This reference was published as a United States Patent less than one year before the filing date of Knowles, and is thus unavailable as a prior art bar.

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12. Tien, United States Letters Patent No. 5,574,011, discloses using luteinizing hormone releasing hormone "(LHRH) analogs for the treatment of male-pattern baldness." In contrast to Tien, Knowles does not use LHRH, nor LHRH analogs, at all.

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13. The prior art thus does not disclose nor enable compositions within the scope of the applied for claims.

II. POINT TO BE REVIEWED

14. Whether the referenced application for letters patent can be granted special status and accelerated examination under M.P.E.P. § 708.02.VIII.

5 III. ACTION REQUESTED

15. Applicants respectfully requests that examination of this application be made special under Rule 1.102.

16. Applicants believe they have presented all claims directed to a single invention. If the Office determines 10 that all claims are not obviously directed to a single invention, Applicants will make an election without traverse as a prerequisite to the grant of special status.

W. Roy KNOWLES, M.D.
Hair Loss Prevention
09-Jun-00

IV. ENCLOSURES

17. I enclose a Fee Transmittal Form, the required petition fee, the prior art search report, and copies of the references deemed most closely related to the subject matter encompassed by the claims.

Respectfully submitted,

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